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I hereby certify that the following correspondence is being deposited with the United States Postal Service as "First Class Mail" with proper postage in an envelope addressed to: Mail Stop Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on April 30, 2007.

1) Response to Restriction/Election Requirement (2 pages)

2) Return Postcard

Melissa Hardy
Name

Signature

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

IN RE APPLICATION OF:	GROUP ART UNIT: 1638
Michael G. Willits	EXAMINER: Robinson, Keith O Neal
SERIAL NO.: 10/517,903	ATTORNEY DOCKET NO: 70058USPCT
FILED: December 10, 2004	CONFIRMATION NO.: 4683
TITLE: FLAVONOL EXPRESSING DOMESTICATED TOMATO AND METHOD OF PRODUCTION	

REPLY TO RESTRICTION/ELECTION REQUIREMENT

Mail Stop Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

In response to the Restriction/Election Requirement dated April 6, 2007 requesting an election of one invention to prosecute in the above-referenced patent application, Applicants hereby elect to prosecute the invention of Group I, claims 1-10, drawn to a non-transgenic domesticated *L. esculentum* plant having a flavonol content in the flesh of the fruit of said plant that is greater than 0.5 µg/mgdwt. This election is made without traverse.

Applicants reserve their statutory right under §121 to prosecute the subject matter of the non-elected inventions in a timely-filed application.

Applicants believe there is no fee due with this response. However, the Commissioner is hereby authorized to charge any fees deemed necessary, or credit any overpayment, to Deposit Account No. 50-1744 in the name of Syngenta Biotechnology, Inc.

Respectfully submitted,

Bruce Vrana
Attorney for Applicants
Registration No. 38,672
Telephone: 919-541-8614

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3054 Cornwallis Road
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Date: April 30, 2007